

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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 FINTECH LEADERS FUND, LLC :  
 :  
 Plaintiff, :  
 : 25-cv-02555 (JSR)  
 -v- :  
 :  
 CRAIG MYLES COGUT, DEBORAH :  
 CHARLOTTE COGUT, DAVID HAROLD COGUT, :  
 and PEGASUS CAPITAL ADVISORS, LP. :  
 :  
 Defendants. :  
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ORDER

JED S. RAKOFF, U.S.D.J.

After careful consideration of the parties' briefing and oral argument, the Court dismisses plaintiff's Complaint in full on grounds of: (i) failure to adequately plead continuity, (ii) failure to adequately plead injury caused by the alleged predicate acts, and (iii) failure to adequately plead control of the alleged RICO enterprise. All of these grounds are essentially for the reasons stated in defendants' moving papers on their motion to dismiss with respect to the adequacy of the pleadings. However, the dismissal is without prejudice to the plaintiff seeking to promptly amend their Complaint to try to cure these deficiencies. Accordingly, plaintiff may amend its complaint by no later than July 25, 2025.

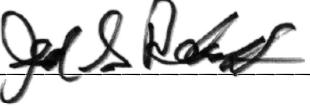
If plaintiff files an amended Complaint on or before July 25, 2025, and defendants then wish to renew their motion to dismiss, they may do so on the following schedule:

- Moving papers to be filed by 5:00PM on August 8, 2025;
- Answering papers to be filed by 5:00PM on August 20, 2025;
- Reply papers to be filed by 5:00PM on August 29, 2025.

Oral argument on any renewed motion to dismiss will be held on September 5, 2025, at 11:00AM in Courtroom 14B, 500 Pear Street, New York, New York. All discovery is stayed pending decision on any such motion.

Dated: New York, NY

July 11, 2025



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JED S. RAKOFF, U.S.D.J.